

4644
1 BILL NO. R-79-09-27

56-79
2 RESOLUTION NO. R-48-79 (AMENDED)

3 A RESOLUTION of the Common Council
4 of the City of Fort Wayne to amend
5 a scrivener's error in Resolution
6 No. R-48-79 which sets forth the
7 policy of the City in regard to
8 newly annexed areas.

9 WHEREAS, the annexation of territory to the City is a legislative
10 function; and

11 WHEREAS, the Common Council is called upon in the preparation of
12 the City budget to provide for the furnishing of municipal services to the
13 entire City, including newly annexed areas; and

14 WHEREAS, the Common Council desires that newly annexed areas receive
15 the full measure of municipal services; and

16 WHEREAS, the City of Fort Wayne is desirous of following the annexa-
17 tion requirements of Indiana annexation law;

18 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
19 OF FORT WAYNE, INDIANA:

20 SECTION 1. That written fiscal plans shall be developed for provid-
21 ing municipal services to territories to be annexed to the City.

22 SECTION 2. That it is the policy of the City of Fort Wayne to
23 provide services to annexation areas in a manner consistent with said plans.

24 SECTION 3. That each fiscal plan shall include cost estimates of
25 planned services to be furnished to the territory to be annexed.

26 SECTION 4. That each fiscal plan shall state the method or methods
27 of financing the planned services.

28 SECTION 5. That each fiscal plan shall describe a plan for the
29 organization and extension of services to the annexation area.

30 SECTION 6. It is the policy of the City that it will begin providing
31 police and fire protection, emergency medical service, solid waste collection,
32 traffic engineering, street and road maintenance and other noncapital services
of the City that are normally provided within its corporate limits, immediately
upon annexation. It is also the policy of the City that within one (1) year
from the effective date of annexation these services will be provided to the

1 newly annexed area in a manner which is equivalent in standard and scope to
2 those noncapital services normally provided to areas within the City which
3 have similar topography, patterns of land utilization, and population density.


4 SECTION 7. It is the policy of the City that services of a capital
5 improvement nature, such as street construction, street lighting, sewer
6 facilities, water facilities, and stormwater drainage facilities, will be
7 provided to the annexed territory within three (3) years of the annexation,
8 in the same manner as those services are provided to areas within the City
9 which have similar topography, patterns of land utilization, and population
10 density, and in a manner consistent with federal, state and local laws,
11 procedures and planning criteria.

12 SECTION 8. That each fiscal plan will include a plan for hiring
13 the employees of other governmental entities whose jobs will be eliminated
14 by the proposed annexation.

15 SECTION 9. That this Resolution shall be in full force and effect
16 from and after its passage and approval by the Mayor.

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20 Councilman
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30 APPROVED AS TO
31 FORM & LEGALITY

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William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-25-75

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. 3-56-79 on the 25th day of September, 1975
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winifred C. Marx Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1975, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 28th day of September, 1975
at the hour of 4:30 o'clock P M., E.S.T.

Robert G. Huntington
MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

19 September 1979

TO: Those Listed

FROM: Paul Norby, Long Range Planning & Zoning - CD&P

SUBJECT: Scrivener's error in General Annexation Resolution, Bill No. R-79-08-40,
Resolution No. R-48-79

CC: Members of the Common Council
Charles Westerman, City Clerk
John Logan, Common Council Attorney
Kenneth Scrogam, City Plan Commission Attorney

We have discovered a scrivener's error in Section 6 of the General Annexation Resolution already passed by City Council and signed by the Mayor. Since this Resolution sets City policy for all annexations, we feel it best to correct the error and prevent any misunderstanding of the City's intentions.

Specifically, the word "with" in the second sentence of Section 6 of R-48-79 should be changed to the word "*within*". To avoid jeopardizing any annexation ordinances being considered by the City, this correction should be made as soon as possible.

PN:pb

9-79-09-27

4644
TITLE OF ORDINANCE Amendment to General Annexation Resolution R-48-79DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Correction of a scrivener's error in the City's General Annexation Resolution which sets forth a policy in regard to newly annexed areas. Change the word "with" in the second sentence of Section 6 to the word "within".EFFECT OF PASSAGE Scrivener's error is corrected and the resolution is made clearer.EFFECT OF NON-PASSAGE Resolution could be confusing to some readers.MONEY INVOLVED (Direct Costs, Expenditures, Savings) NoneASSIGNED TO COMMITTEE (J.N.)